

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OKLAHOMA

VIDEO GAMING TECHNOLOGIES,
INC.,

Plaintiff,

vs.

CASTLE HILL STUDIOS LLC, *et al.*

Defendants.

CASE NO. 17-CV-00454-GKF-JFJ

**DEFENDANTS' MOTION TO SEAL
MOTION IN LIMINE TO EXCLUDE EVIDENCE
OF PLAINTIFF'S LOST REVENUE, LOST PROFITS, AND LOST PROFIT DAMAGES**

Pursuant to Local Rule 79.1, and paragraph 2(f) of the Stipulated Protected Order (ECF No. 55) (the "Protective Order"), Defendants Castle Hill Studios LLC, Castle Hill Holdings LLC, and Ironworks Development LLC (together "Castle Hill"), hereby request that the Court enter an order sealing Defendant's unredacted Motion In Limine To Exclude Evidence Of Plaintiff's Lost Revenue, Lost Profits, And Lost Profit Damages (the "Motion") and Exhibits B-D to the Declaration of Robert C. Gill in support of the Motion (collectively, ECF No. 151). In support of this request to seal, Defendants state as follows:

1. Portions of the Motion contain information designated by Castle Hill as Highly Confidential Information pursuant to paragraph 2(c) of the Stipulated Protective Order (ECF No. 55).

2. Exhibit B to the Declaration of Robert C. Gill consists of certain excerpts of the deposition of James Starr. Plaintiff designated this document as Highly Confidential pursuant to the Stipulated Protective Order.

3. Exhibit C to the Declaration of Robert C. Gill consists of certain excerpts of the FRCP 30(b)(6) Deposition of VGT (Vice President of Financial Planning and Analysis, Don Kovach). Plaintiff designated this document as Highly Confidential pursuant to the Stipulated Protective Order.

4. Exhibit D to the Declaration of Robert C. Gill consists of certain excerpts of the September 6, 2018 Motion to Compel Discovery Hearing Transcript. Pursuant to the Court's Notice Re: Redaction of Transcripts (Doc. 146), the time to request redaction of the public transcript has not yet passed. Accordingly, the transcript should be treated preliminarily as Highly Confidential information pursuant to the Stipulated Protective Order.

5. Pursuant to Local Rule 79.1, General Order 08-11, and the Protective Order, Castle Hill filed a public, redacted Motion with public, redacted exhibits and a sealed, unredacted Motion, with sealed, unredacted exhibits.

WHEREFORE, Defendants respectfully request that the Court enter an Order sealing the Motion and Exhibits B-D to the Declaration of Robert C. Gill.

Dated: October 12, 2018

Respectfully submitted,

/s/ Robert C. Gill
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CERTIFICATE OF SERVICE

I hereby certify that on this 12th day of October, 2018, I caused a copy of the foregoing Defendants' Motion To Seal Motion In Limine To Exclude Evidence Of Plaintiff's Lost Revenue, Lost Profits, And Lost Profit Damages to be filed using the Court's ECF system, which will provide electronic notification of filing to the following counsel for Plaintiff:

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